

09/24/01

11059 U.S. PTO

PTO/SB/05 (11-00)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(h))

Attorney Docket No. PF335D2	
First Inventor	Dixit et al.
Title	Interleukin-1 β Converting Enzyme Like Apoptotic Protease-6
Express Mail Label No.	

09/24/01
2011

APPLICATION ELEMENTS *See MPEP chapter 600 concerning utility patent application contents.*

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (in duplicate)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages: 75]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Sequence Listing
 - Abstract of the Disclosure
4. ☒ Formal Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. ☒ Oath or Declaration [Total Pages 6]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.163(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76 [4 pages].

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper [Original (9 pp.) and Substitute (6 pp.)]
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Copy of Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/ Form PTO/SB/08
13. ☒ Copies of Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: (a) Request Under 37 CFR § 1.821(e); (b) Copy of Associate Power of Attorney from Application Serial No. 09/300,328; and (c) Copy of Three (3) Power of Attorney by Assignee of Interest/Revocation of Prior Power of Attorney from Application Serial No. 09/300,328 (6 pp.)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 09/300,328, filed April 27, 1999.
Prior application information: Examiner: Bugaisky, G. Group/Art Unit: 1653

For CONTINUING OR DIVISIONAL APPS Only The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 22195 or ☐ Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	
NAME (Print/Type)	Kenley K. Hoover		Registration No. (Attorney/Agent) 40,302
SIGNATURE			Date: <u>September 24, 2001</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Dixit et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket Number	PF335D2

amount of payment	\$790.00
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METHOD OF PAYMENT (CHECK ONE)

☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number **08-3425**

Deposit Account Name **Human Genome Sciences, Inc.**

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status

(See 37 CFR 1.27)

☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☒ Other

Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 08-3425

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
104	710	201	355	Utility filing fee	\$710.00
105	320	206	160	Design filing fee	
104	490	207	245	Plant filing fee	
105	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
Subtotal (1)					\$710.00

2. EXTRA CLAIM FEES

	20-	- 20"	0	Extra	Fee from below	Fee Paid
Total claims					\$18.00	\$ 0.00
Multiple claims	4	- 3"	1		\$80.00	\$ 80.00
Multiple Dependent					\$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	86	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

Subtotal (2) **\$ 80.00**

FEE CALCULATION (CONTINUED)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing of Oath or Declaration	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	Fee filing a request for <i>ex parte</i> reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive -unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	190	169	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify).

*Reduced by Basic Filing Fee Paid

Subtotal (3)

\$0.00

Complete (if applicable)

Submitted By

Name (Print/Type) **Kenley K. Hoover**

Registration No.: **40,302**

Telephone **(301) 610-5771**

Signature: *[Signature]* Date **September 24, 2001**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: DIXIT et al.

Application Serial No.: To be assigned

Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: Interleukin-1 β Converting Enzyme Like
Apoptotic Protease-6

Attorney Docket No.: PF335D2

REQUEST UNDER 37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:

The above-identified patent application is a division of application Serial No. 09/300,328, filed April 27, 1999, which in turn is a division of application Serial No. 08/852,936, filed May 8, 1997. The sequence listing of the instant application is identical to the sequence content of the computer readable sequence listing filed in connection with application Serial No. 09/300,328, on April 27, 1999.

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in connection with application Serial No. 09/300,328 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the specification of the instant application filed herewith. Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing filed on April 27, 1999 in connection with application Serial No. 09/300,328 are the same and do not include new matter.

Respectfully submitted,

Date: September 24, 2001


Kenley K. Hoover (Reg. No. 40,302)
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